

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARVIN HARRIS, D99649,
Petitioner,
v.
KEN CLARK, Warden,
Respondent.

Case No. [20-cv-00679-CRB](#) (PR)

ORDER OF TRANSFER

Petitioner seeks federal habeas review of the execution of a sentence imposed by Contra Costa County Superior Court, which lies within the venue of the Northern District of California. See 28 U.S.C. § 84(a). Specifically, he challenges the state courts' denial of his eligibility for a youthful offender parole hearing. Petitioner is incarcerated at California State Prison, Corcoran (CSP – COR) in Kings County, which lies within the venue of the Eastern District of California. See id. § 84(b).

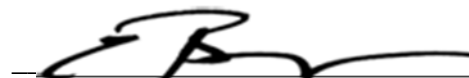
Venue is proper in a habeas action in either the district of conviction or the district of confinement, see 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989).

Because Kings County lies in the Eastern District of California, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the Eastern District of California.

The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

Dated: May 8, 2020



CHARLES R. BREYER
United States District Judge